

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION**

Cuevas, et al. v. Ethicon, Inc., et al., )  
E.D. Missouri, C.A. No. 4:17-00498 )

MDL No. 2327

**ORDER REINSTATING STAY OF CONDITIONAL TRANSFER ORDER**

A conditional transfer order was filed in this action (*Cuevas*) on February 13, 2017. In the absence of any known opposition to the proposed transfer, the stay of transmittal was lifted on February 22, 2017, and *Cuevas* was transferred to the Southern District of West Virginia.

On February 23, 2017, plaintiffs filed a motion to reinstate CTO-228. As grounds for their motion, plaintiffs, through counsel, state that counsel uses two email addresses, "only one of which is used internally for purposes of filing notifications." While the Panel did send plaintiffs notice of the conditional transfer order, counsel states it was not to the email address "used internally for purposes of filing notifications."

In the instant case, the Panel sent notice of the conditional transfer order to counsel's email of record then on file with the Panel. Counsel's internal operating procedure of favoring one email address over another is a matter outside the Panel's control. Nevertheless, the Panel will reinstate the conditional transfer order in order to permit plaintiffs to pursue their opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-228" filed on February 13, 2017, is REINSTATED.

IT IS FURTHER ORDERED that Plaintiffs' motion to reinstate is construed as a Notice of Opposition. An appropriate briefing schedule will issue accordingly.

FOR THE PANEL:

  
Jeffery N. Luthi  
Clerk of the Panel



Activity in Case MDL No. 2327 IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation Order Reinstating CTO JPMLCMECF

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## United States

### United States Judicial Panel on Multidistrict Litigation

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**Case Name:** IN RE: Ethicon, Inc., Pelvic Repair System Products Liability Litigation

**Case Number:** [MDL No. 2327](#)

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**Document Number:** [2690](#)

**Docket Text:**

**ORDER REINSTATING CTO-228 (re: pldg. ([2659] in MDL No. 2327, 1 in MOE/4:17-cv-00498) )**

**The stay of the Panel's conditional transfer order designated as CTO-228 filed on 2/13/17 is REINSTATED. Cuevas notice of opposition is deemed filed as of 2/23/17.**

**Signed by Clerk of the Panel Jeffery N. Luthi on 2/24/2017.**

**Associated Cases: MDL No. 2327, MOE/4:17-cv-00498 (LAH)**

**Case Name:** Cuevas et al v. Ethicon, Inc. et al

**Case Number:** [MOE/4:17-cv-00498](#)

**Filer:**

**Document Number:** [5](#)

**Docket Text:**

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**Signed by Clerk of the Panel Jeffery N. Luthi on 2/24/2017.**

**Associated Cases: MDL No. 2327, MOE/4:17-cv-00498 (LAH)**

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